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Letter dated 4 June 2009 from the Acting Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism I have the honour to submit the report of the Counter-Terrorism Committee to the Security Council (see annex) for consideration by the Council as part of its interim review of the work of Counter-Terrorism Committee Executive Directorate pursuant to paragraph 2 of resolution 1805 (2008).

The Committee would appreciate it if this letter, together with the report, could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Jean-Maurice **Ripert**
Acting Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its interim review of the work of the Counter-Terrorism Committee Executive Directorate

I. Introduction

1. By its resolution 1535 (2004), the Security Council established the Counter-Terrorism Committee Executive Directorate as a special political mission under the policy guidance of the Counter-Terrorism Committee. On 20 March 2008 the Security Council adopted resolution 1805 (2008), in which it decided that the Counter-Terrorism Committee Executive Directorate would continue to operate as a special political mission under the policy guidance of the Committee for the period ending 31 December 2010. In that resolution, the Council further decided to conduct an interim review by 30 June 2009 and a comprehensive consideration of the work of the Executive Directorate prior to the expiration of its mandate.

2. The Counter-Terrorism Committee has prepared the present report, covering this time frame, to assist the Council in conducting that interim review. Among the key elements of the review, the Committee decided to assess the assistance it received from the Executive Directorate on implementation of its mandate to promote and monitor the implementation of Security Council resolution 1373 (2001) with special emphasis on the areas identified in resolution 1805 (2008). The Committee also included recommendations on the future work of the Executive Directorate.

II. Implementation of structural reorganization of the Counter-Terrorism Committee Executive Directorate

3. The Counter-Terrorism Committee endorsed the revised organizational plan for the Counter-Terrorism Committee Executive Directorate submitted by its Executive Director (S/2008/80) and the Security Council in its resolution 1805 (2008) also welcomed and affirmed this revised organizational plan for the Executive Directorate.

4. The centrepiece of the plan was the creation of five technical groups and two smaller units, cutting horizontally across the vertical structure of three geographical clusters, through which most of the work of the Executive Directorate had been conducted in the past. The technical groups, each of which includes at least one representative of each cluster, deal respectively with technical assistance; terrorist financing; border security, arms trafficking and law enforcement; general legal issues; and issues raised by the Security Council in resolution 1624 (2005), as well as the human rights aspects of counter-terrorism in the context of resolution 1373 (2001). The two units deal with quality control, and public communications and outreach, respectively.

5. The objective of this new structure is to better harmonize the approaches and judgements of the Executive Directorate experts in each technical area by enabling cross-cluster discussion of issues and the development of common standards and criteria.

6. **The Committee recognizes that this reorganization has served the Counter-Terrorism Committee Executive Directorate well, enhancing its capacity to conduct its core business of engaging with Member States on their implementation of resolutions 1373 (2001) and 1624 (2005), which is essentially carried out through the three clusters.** Two particular achievements over the last 12 months that relied heavily on the work of the technical groups were the report by the Committee to the Security Council on the global implementation of resolution 1373 (2001) (S/2008/379); and the development of the technical guide to the implementation of resolution 1373 (2001), submitted to the Committee in April 2009.

7. **The Committee hopes that the technical groups will further contribute in the future to the achievements of the Counter-Terrorism Committee Executive Directorate on delivering its mandate. The Committee believes that the work of the technical groups has, and should in the future, provide the basis for discussion in the Committee on thematic aspects of the implementation of resolution 1373 (2001).**

III. Monitoring and promoting the implementation of Security Council resolution 1373 (2001)

Preparation of preliminary implementation assessments and stocktaking

8. Over the reporting period, the Executive Directorate prepared, and the Committee adopted, the preliminary implementation assessments of around 150 countries whose preliminary implementation assessments had not been adopted before the end of 2007. At the time of submission of this report, 190 Member States of the United Nations had received a preliminary implementation assessment and the Committee expects to approve the remaining ones during the next months.

9. Moreover, since November 2008, the Executive Directorate has assisted the Committee to conduct a first review, or stocktaking, of the preliminary implementation assessments of around 60 countries, most of which had not regularly reported to the Committee in the past. This stocktaking exercise enables the Committee to deepen its active dialogue with Member States; to learn where countries continue to face particular problems; and, more generally, to gain a better understanding of the state of implementation of resolution 1373 (2001) across the globe and the progress achieved.

10. **The Committee looks forward to the assistance of the Counter-Terrorism Committee Executive Directorate in order to complete this first review of preliminary implementation assessments before the end of this year. The Committee looks forward to considering the technical guide prepared by the Executive Directorate on the basis of the work of the technical groups, in order to set out the requirements and steps for implementing the provisions of resolution 1373 (2001) and contribute to ensuring consistency and even-handedness in the work of the Committee. It also notes that the format of the preliminary implementation assessment may be reviewed to enhance its usefulness as a diagnostic tool and enable the Committee to measure more accurately Member States' implementation of resolution 1373 (2001), and will**

look forward to receiving a proposal from the Executive Directorate to that effect in due course.

Annual report to the Security Council on the implementation of resolution 1373 (2001)

11. In May 2008, the Committee adopted a document entitled "Survey of the implementation of Security Council resolution 1373 (2001) by Member States", and submitted it to the Security Council. The report was prepared by the Executive Directorate on the basis of the evaluations contained in the preliminary implementation assessments. It provides an assessment of the implementation of resolution 1373 (2001) in regions and subregions, and draws conclusions about progress in the implementation of this resolution in key thematic areas. The report also contains priority recommendations for the Committee's future action.

12. **In this regard, the Committee would welcome a submission by the Counter-Terrorism Committee Executive Directorate on the issues raised by the report, in order for the Committee to make a more strategic contribution to the overall global response to the threat of terrorism as it spans. In particular, the Committee would welcome proposals aimed at strengthening regional cooperation in South Asia on counter-terrorism matters, on machine-readable travel documents, or on ways and means to enhance international legal and judicial cooperation.**

13. In its resolution 1805 (2008), the Security Council directed the Committee to submit an annual report on the implementation of that resolution, with its observations and recommendations. Both the stocktaking and the technical guide exercises will feed into that report. **The Committee looks forward to receiving from the Counter-Terrorism Committee Executive Directorate, before the end of November 2009, a first updated global implementation survey, for its consideration, in order to respond to the request above by the Security Council.**

Country visits

14. The revised organizational plan envisaged a more flexible approach to assessment missions, in particular by allowing the Executive Directorate to contemplate shorter visits focused on one or two particular aspects of the counter-terrorism regime of the Member State concerned, as well as opening the way for regional visits and for missions that looked at examples of good practice, as well as vulnerabilities. In June 2008, the Committee endorsed a list of 43 States that could be considered for visits in the period up to December 2010.

15. During the period since the adoption of Security Council resolution 1805 (2008), the Executive Directorate has conducted assessment missions to 22 countries and has scheduled visits to a further 4 Member States before the end of July 2009. In total, these comprise: eight comprehensive visits (Cambodia, Egypt, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Saudi Arabia, South Africa, Uganda and Uzbekistan); two regional visits covering six countries (Belgium, Denmark, Luxembourg and the Netherlands in Western Europe, and Burkina Faso and Senegal in West Africa); seven focused visits (Australia, Madagascar, New Zealand, Panama,

Republic of Korea, Singapore and the United Kingdom of Great Britain and Northern Ireland); and three follow-up visits (Bangladesh, Kenya and Mali).

16. The annual rate of visits has thus more than doubled, which means that the Executive Directorate and the Committee are engaging in depth with a much wider range of countries than hitherto. More importantly, the fact that the Executive Directorate is carrying out visits to countries from all regions means that it and the Committee have a more comprehensive sense of what is happening across the globe. Country visits demonstrate that counter-terrorism is proving to be a challenge for all countries and the goal of full compliance with resolution 1373 (2001) requires Member States to keep their counter-terrorism policies and measures under active review. The Executive Directorate and the Committee can now better reflect and take into account the specific needs of Member States in a more tailored manner, with a view to tackling problems, such as changing institutional cultures, improving communication and coordination between different agencies, and conduct a more tailored dialogue with Member States.

17. Through visits to donor countries, the Executive Directorate has been able to gather much more precise information of their regional interests, their counter-terrorism technical assistance capabilities and their existing programmes. As a result, the Executive Directorate can now tailor technical assistance referrals in a way that better matches donor needs. This should ultimately lead to an increase in the number of referrals that result in identified vulnerabilities being addressed. During the visits, the Executive Directorate has been able to advocate for specific projects and programmes and has seen some of these taken up as a direct result of this advocacy work.

18. **The Committee looks forward to conducting the remaining 21 visits approved by the Committee in June 2008, and to consider, as appropriate, additional visits on a case-by-case basis, including country visits with the monitoring team established pursuant to resolution 1267 (1999), the Committee Expert Group established pursuant to resolution 1540 (2004) or the Counter-Terrorism Implementation Task Force.**

IV. Strengthening facilitation of technical assistance to States

19. The Committee continues to pay close attention to facilitating technical assistance. In this context, the Committee continues to look for opportunities to match current and potential donors or providers with recipients, in order to enhance the dialogue between the donor community and recipient countries and to further the implementation of resolution 1373 (2001).

20. The Counter-Terrorism Committee Executive Directorate reported to the Committee in July 2008 on a revised technical assistance strategy, which seeks to leverage with major bilateral, regional and international donors its in-depth knowledge of the counter-terrorism needs of the countries where visits took place. The strategy also aims to widen the circle of donors by including countries in which particularly effective counter-terrorism approaches or systems have been developed.

21. The revised strategy envisages both the preparation of more targeted, detailed and sophisticated technical assistance proposals, and more active engagement by the Executive Directorate with key donors, aimed at achieving a better understanding of

their priorities and capabilities. To that end, the Executive Directorate has attended, and contributed to the discussions at, each of the three semi-annual meetings of the Counter-Terrorism Action Group of the Group of Eight held since the adoption of resolution 1805 (2008), and has conducted outreach to a range of other bilateral and regional donors. The Executive Directorate has also consulted extensively on this strategy with relevant partner international organizations. Since July 2008 it has made 111 technical assistance referrals and thus far has received positive responses from donors with respect to 38 of them.

22. **The Committee encourages the Counter-Terrorism Committee Executive Directorate to enhance its outreach activities towards potential donors, including those already engaged more broadly in capacity-building activities aimed at enhancing institutions and strengthening the rule of law, in order to ensure that a greater proportion of referrals are taken up by donors and that the required assistance is successfully delivered to help States implement resolutions 1373 (2001) and 1624 (2005). The Committee encourages the Executive Directorate to update it regularly on the status of implementation of the revised technical assistance strategy and to keep it under active review.**

V. Engagement with other Security Council bodies

23. The three expert groups of the Security Council subsidiary bodies (the Counter-Terrorism Committee Executive Directorate, the Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) and the Expert Group of the Security Council Committee established pursuant to resolution 1540 (2004)), are well aware of the importance of working closely together and not duplicating each other's work. To that end, over the period since the adoption of resolution 1805 (2008), the three groups have held several joint staff meetings; conducted, with the assistance of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC), a third regional workshop in Africa aimed at helping countries with their Security Council reporting responsibilities; and collaborated on a paper outlining a joint strategy for engaging with international organizations. The Monitoring Team also participated in five Executive Directorate assessment missions over the period, and will continue that practice for future visits.

24. **The Committee welcomes the ongoing close cooperation between the Counter-Terrorism Committee Executive Directorate and the Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) and the Expert Group of the Security Council Committee established pursuant to resolution 1540 (2004). The Committee encourages further enhanced efforts to develop common strategies on areas of common concern, to organize joint workshops, to coordinate their participation in conferences and joint country visits, and to exchange information with regard to capacity-building, assistance requests and facilitation of technical assistance. The Committee recommends that the Security Council continue to pay special attention to the cooperation between the three Committees and their expert bodies, including by encouraging a more strategic approach to delivering on their respective mandates.**

VI. Engagement with international, regional and subregional organizations

25. The Counter-Terrorism Committee Executive Directorate relies heavily on a number of key partner international organizations[1] to provide expert assistance and advice, whether on assessment missions or at conferences and workshops. They include, in particular, the Terrorism Prevention Branch of UNODC, the Financial Action Task Force on Money-Laundering (FATF), International Civil Aviation Organization (ICAO), the International Maritime Organization, the International Criminal Police Organization (INTERPOL), the International Organization for Migration (IOM), the World Customs Organization (WCO) and the World Bank. The Executive Directorate has also established particularly strong relations with certain regional and subregional organizations, notably the Caribbean Community and the Organization of American States Inter-American Committee against Terrorism in the Americas, the African Centre for the Study and Research on Terrorism, the African Union, the Economic Community of West African States, the Intergovernmental Authority on Development Capacity-Building Programme Against Terrorism (ICPAT) and the Southern African Development Community in Africa; in Europe, the Council of Europe, the European Union and the Organization for Security and Cooperation in Europe; the Pacific Islands Forum in the Pacific; and the Asian Development Bank and the Association of Southeast Asian Nations in Asia. The Executive Directorate also works closely with the regional FATF-style bodies in particular regions. The Committee and the Executive Directorate value these relationships highly, as they act as force-multipliers in their advocacy, monitoring and technical assistance facilitation work. Lately, the Executive Directorate conducted in partnership with ICPAT a workshop for police, customs and foreign affairs officials from the countries of the subregion on the issue of border control. The Executive Directorate also contributes to workshops organized by ICAO, on machine-readable travel documents, or INTERPOL, on their I 24/7 network. **The Committee welcomes the efforts by the Counter-Terrorism Committee Executive Directorate to deepen the areas of cooperation with virtually all these organizations over the last 18 months, and in particular the efforts to enhance the Executive Directorate's cooperation with the Office of the Special Adviser on Africa.**

26. In early 2009, in consultation with the 77 international, regional and subregional organizations invited to participate in the fifth special meeting of the Committee, held in Nairobi in October 2007, the Executive Directorate produced, and the Committee approved, a review of the follow-up to the plan of action adopted at the meeting and related activities. The review highlighted more than 100 conferences, workshops and training sessions organized since November 2007 to promote the implementation of the plan of action.

27. **The Committee, as part of its programme of work, has initiated consideration of the modalities and format for the holding of a sixth special meeting of the Committee and notes efforts of the Counter-Terrorism Committee Executive Directorate to bring concrete recommendations to the Committee in this regard.**

[1] See website http://www.un.org/sc/ctc/pdf/IROEO.pdf.

VII. Engagement in support of the implementation of the United Nations Global Counter-Terrorism Strategy

28. Under the guidance of the Committee, the Counter-Terrorism Committee Executive Directorate, as a founding member of the Counter-Terrorism Implementation Task Force, continued to participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy, and in particular to the work of three working groups dealing respectively with Countering Terrorist Financing, Human Rights and Counter-Terrorism, and Integrated Implementation of the Global Strategy (where the Executive Directorate serves as Co-chair). This working group has evolved into the Integrated Assistance for Countering Terrorism working group and is currently engaged actively with two countries that were proposed to be pilots for the exercise (Nigeria and Madagascar), to identify areas where the Task Force can help countries better to implement the strategy in a more coordinated and integrated fashion. Upon the Committee's approval, the Executive Directorate led in September 2008 a joint Committee/Counter-Terrorism Implementation Task Force mission to Madagascar. The Committee looks forward to receiving an update from the Executive Directorate on the results.

29. **The Committee continues to hold the engagement of the Counter-Terrorism Committee Executive Directorate in the Counter-Terrorism Implementation Task Force as one crucial aspect of its mandate and a means to achieve greater results in delivering on it. The Committee welcomes the establishment of the Counter-Terrorism Implementation Task Force secretariat and its co-location with the Executive Directorate and expects that this practical arrangement will ensure close collaboration of the Counter-Terrorism Committee Executive Directorate and the Counter-Terrorism Implementation Task Force secretariat within their respective mandates.**

VIII. Respect for human rights in the implementation of Security Council resolutions 1373 (2001) and 1624 (2005)

30. The staff of the Counter-Terrorism Committee Executive Directorate includes a human rights expert, who is responsible for ensuring that human rights considerations are appropriately taken into account in the Executive Directorate's ongoing dialogue with Member States on the implementation of resolutions 1373 (2001) and 1624 (2005). The expert contributes relevant information for inclusion in the preliminary implementation assessments, provides briefings for Executive Directorate country visits, assists in the drafting of reports, and promotes a consistent approach to human rights issues in all Executive Directorate activities. He participated in two assessment missions during the reporting period (South Africa and Uganda), and his participation in further visits is planned. In line with the Committee's policy guidance on human rights and counter-terrorism, the Executive Directorate incorporates human rights into its communications strategy, stressing that States must ensure that their counter-terrorism measures comply with their obligations under international law.

31. The Committee and the Executive Directorate maintained good cooperation with the Office of the United Nations High Commissioner for Human Rights,

including in the joint development of relevant technical assistance for States in the field of human rights. They are also engaged in an active dialogue with the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, who briefed the Committee in October 2008. **The Committee welcomes the activities of the Counter-Terrorism Committee Executive Directorate in this area, and encourages the Executive Directorate to further develop them, within the guidance of the Committee, by deepening its analytical framework, including through participation by the Executive Directorate in the Counter-Terrorism Implementation Task Force working group on protecting human rights while countering terrorism.**

IX. Resolution 1624 (2005)

32. The Counter-Terrorism Committee Executive Directorate has continued, on behalf of the Committee, to include in its dialogue with Member States their efforts to implement Security Council resolution 1624 (2005). As of 15 April 2009, a total of 99 States had submitted reports to the Committee on their implementation of the resolution. The Executive Directorate submitted a discussion paper on moving forward with the dialogue to the Committee, which endorsed it on 26 February 2009. In accordance with the paper's proposals, the Executive Directorate has continued to encourage non-reporting States to report, to work on assembling a database of good practices, and to facilitate relevant technical assistance, upon request. In all its visits to States, including the focused visits, the Executive Directorate has included in its discussions the question of the implementation of the resolution's various provisions. Those exchanges have been guided in part by background papers prepared by the Executive Directorate Working Group on issues raised by resolution 1624 (2005), as well as the human rights aspects of counter-terrorism in the context of resolution 1373 (2001). **The Committee encourages the Executive Directorate to continue its work on implementation of resolution 1624 (2005), within the guidance of the Committee.**

X. Public communications and outreach

33. The Counter-Terrorism Committee Executive Directorate revised its communications strategy in 2008 with the aim of engaging more actively with Member States, international organizations, relevant academic research institutions and civil society in order to enhance their understanding of the role of the Committee and the Executive Directorate. In addition to the joint briefings to the United Nations membership, by the Committee's chair and the Executive Director, the Executive Director and other Executive Directorate officers provided regular briefings to many such organizations and also gave occasional interviews to the press. Outreach to civil society and private corporations, focusing on potential technical assistance and their role in counter-terrorism implementation, was also initiated.

34. In addition to a revised and updated Committee press kit, the Executive Directorate has completely redesigned the Committee's website in order to make it more user-friendly and informative. As a result, the website contains more comprehensive and up-to-date information, better structure and organization, and

scores of hyperlinks to international, regional and subregional organizations engaged in counter-terrorism work. The website also includes hyperlinks to all United Nations bodies that are members of the Counter-Terrorism Implementation Task Force, and is actively maintained in all six official languages of the United Nations.

35. **The Committee encourages the Counter-Terrorism Committee Executive Directorate to provide updates on the implementation of the communication strategy on a regular basis, especially in the context of the ongoing stocktaking exercise and the upcoming annual survey on the global implementation of resolution 1373 (2001).**

XI. Conclusions

36. **The Counter-Terrorism Committee Executive Directorate has provided the Committee with valuable support over the reporting period, and has fulfilled the tasks assigned to it by the Committee, as set out in its work programme and the work programme of the Committee.**

37. **The Committee welcomes achievements of the Executive Directorate over the 14 months since the adoption of resolution 1805 (2008), in particular, in deepening its dialogue with Member States in all regions, developing a more proactive strategy to facilitate technical assistance, and becoming more heavily engaged with its partner international, regional and subregional organizations.**

38. **The Committee recognizes that the Executive Directorate has become more consistent in its assessments and is working across all regions of the world in a more harmonized and focused way and encourages it to continue to strengthen its capacity to deliver on this crucial aspect of its mandate.**

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